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1949

File No. Misc II/49
Part II.

Legal **DEPARTMENT**
C **BRANCH**

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A/116

Subject:—

Miscellaneous

Correspondence relating

(For the previous pps.
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(For the further pps. pl
See Part III)

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S O R T E D.

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1.	P & S.D.E.R. No. 200/48 Dated 25-2-48.	Government Service. Recognition of the Anglo Vernacular School Leaving Certificate etc.	1.
2.	E & I.D.E.R. No. 2300 dt. 2-7-48	Education Loans. Grant of to displaced Students Scheme for	2.
3.	E & I.D.E.R. No. 2300 dt. 3-5-48.	Non-Muslim refugee Students from West Pakistan/grant of loans to Qualifying themselves through Social Service.	5.
4.	E & I.D.E.R. No. 2748 dt. 24-6-48.	State Scholarships. Concessions to students in merged and integrated states/Continuance of payment of. -	9.
5.	P. & S.D.E.R. No. 6541/34 dt. 24-5-48.	Yamin. Communique to be shown and police arrangements to be made etc. -	10.
6.	P. & S.D.C.C. No. 2735/48 dt. 18-7-48.	Communication. Servants Orders ref. to [illegible] of the merged and integrated states who cannot be absorbed in Bombay Government Service.	17-21

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Government Service.

Recognition of the Anglo-Vernacular School Leaving Certificate (Burma) Examination and the Burma High School Final Examination, both with eligibility for University Course, for the purpose of recruitment to—

GOVERNMENT OF BOMBAY,
Political and Services Department,
Resolution No. 206/46.

Bombay Castle, 26th March 1946.

Endorsement from the Government of India, Ministry of Home Affairs, No. 60/XII/46-Ests., dated the 6th August 1946, forwarding their Memorandum No. 60/XII/46 Ests., dated the 6th August 1946:—

"The undersigned is directed to say that it has been now decided to recognise a pass in —

1. The Anglo-Vernacular School Leaving Certificate (Burma) Examination, and

2. The Burma High School Final Examination, both with eligibility for University Course, as equivalent to pass in the Matriculation Examination of a recognised Indian University for the purpose of recruitment to service under the Government of India".

Resolution:— The Government of Bombay is pleased to recognise a pass in the Anglo-Vernacular School Leaving Certificate (Burma) Examination and the Burma High School Final Examination, both with eligibility for the University Course, as equivalent to pass in the Matriculation Examination of the Bombay University for the purposes of recruitment to Government Service.

By order of the Governor of Bombay

M.D. BHAT,

Chief Secretary to the Government of Bombay, Political and Service Department.

RVT. 26/3.

Slip 'A'

Payment of allowances to officers when they are required to meet the Distinguished Visitors on their arrival in and departure from the State of Bombay.

GOVERNMENT OF BOMBAY.

Political and Services Department.

Resolution No. 571/46.

Bombay Castle, 3rd April 1950.

RESOLUTION:- Government is pleased to direct that the orders regarding the payment of allowances to the officers when they are required to meet the Honourable Ministers of the Government of India on their arrival in this State and their departure contained in Government Resolution, Political and Services Department, No. 6541/34, dated the 24th June 1949, as amended by Government Corrigendum, Political and Services Department No. 6541/34, dated the 27th October, 1949, should be made applicable when the officers are required to meet the distinguished visitors to the State of Bombay, such as Foreign Diplomatists, i.e., Heads of Diplomatic Missions Prime Ministers and Ministers of Foreign Governments, members of prominent Foreign Deputations, other prominent personalities of Foreign countries and Heads of Missions and representatives of the Government of India to Foreign Countries.

By order of the Governor of Bombay,

M.D. BHAT,
Chief Secretary to Government of Bombay,
Political and Services Department.

MV. 23/5.

Compensation.
Orders regarding - to Servants of the Merged and integrated States who cannot be absorbed in Bombay Government Service.

Political and Services Department
Resolution No. 2735/46.

Bombay Castle, 18th July 1949.

RESOLUTION OF GOVERNMENT.

In connection with discharge of some of the servants of the merged and integrated States whom it is not possible to absorb in Bombay Government Service, the Government of Bombay is pleased to make the following Rules, in supersession of the orders contained in the Government Resolutions mentioned in the margin to regulate the conditions applicable to the discharge or retirement of such State Servants.

1. Government Resolution Political and Services Department No. 2735/46, dated the 7th September 1948.
2. Government Resolution, Political and Services Department, No. 2735/46, dated the 5th January 1949.

2. Cases of persons who have already been discharged should be reviewed according to these orders and additional pay in lieu of full notice, if due, should be paid to the persons concerned:-

Rules.

1. (a) The following employees should be discharged :-

(i) Persons who are either inefficient, unfit or dishonest provided there is sufficient material to establish their inefficiency, unfitness or dishonesty.

(ii) (a) Temporary servants who have put in less than one year's service and who are considered superfluous to the requirements of the State area concerned.

(b) Inferior servants such as cooks, peons, animal keepers, etc., who cannot be absorbed in Government Service.

(c) All other State Servants of whom it can be said with

reasonable certainty, after taking into account future requirements, that their services are not wanted. (For this purpose "future requirements" should be interpreted with due liberality and may be roughly equated to the requirements of the State Area concerned plus 10 per cent, the latter being a margin for possible absorption in other State areas, etc. on reorganisatiop).

B) All state employees other than those mentioned in clause (A) above should be given the option either to retire or to continue in the service of the Government of Bombay.

II. All State Servants proposed to be discharged for inefficiency, unfitness or dishonesty should be given one month's notice. They will not, however, be eligible for any leave but will be eligible for further retrenchment concessions as stated below:-

(a) Persons who are medically unfit may be given invalid pension according to the Bombay Civil Services Rules unless the State servants specifically elect to draw such pension according to the Rules of the Former State administration under which they served.

(b) Persons who are otherwise unfit or are inefficient or dishonest may be given a compassionate pension (i.e. not exceeding 2/3rd of invalid pension) according to the State Rules, if any, and otherwise according to the Bombay Civil Services Rules provided that the Chief Administrator or other competent authority concerned is satisfied after personal investigation that the case is a deserving one and that he recommends the grant of a pension.

III. (a) Persons, other than those specified in II above, who are discharged or choose to retire whether they are in superior or inferior service should be given three months'

notice of discharge or all leave due whichever is more provided that the words "all leave due" will be subject a maximum [illegible] to the limitations that such leave should not extend:-

(i) beyond a date 28 months from the date on which the persons concerned proceeds on leave;

(ii) beyond a date on which the person concerned attains the age of superannuation according to the Rules of the State or the Bombay Civil Services Rules whichever are more liberal;

(iii) beyond the date on which the person concerned asks that his pension should commence or gratuity paid; whichever of the dates is earlier.

Note: In no case the maximum leave average pay should exceed 4 months.

IV. (a) The State employees referred to in rule II above should also be given gratuity or pension (1) according to the Bombay Civil Services Rules, or (2) as indicated below whichever are more liberal unless the State Servants specifically elect to draw such pension according to the Rules of the former State administration under which they served —

) For persons who have not completed nine years' duty Gratuity should be paid at the rate of one month's salary on the basis of the average of three years preceding the date of the merger for each completed year of service.

(ii) For persons who have completed nine or more years' duty:-

(a) Pension as would be admissible according to the Bombay Civil Services Rules or gratuity as indicated in (1) above whichever is preferred by the employee.

(b) In addition to the gratuity or pension mentioned in clause (a) above the State employees, mentioned in Rule III above, whether they belong to superior or inferior service, may be given special compensatio-

gratuity at the rate of 1/24th of month's pay for each completed month or pensionable service up to maximum of 7½ months' pay for 180 months' service diminishing thereafter by 1/24th of a months pay for each completed months of service in excess of 180 months. This gratutity should be paid only when the record of service of the person concerned is satisfactory. Non-pensionable service should not be taken into account for the purpose of this special gratutity.

(c) For purposes of pension, including gratuity but excluding special compensation gratuity temporary service may be valued at one half of permanent service.

A state servant including a servant in inferior service (i.e. a class IV servant) who is discharged or chooses to retire may be given travelling allowance as on transfer, according to Bombay Civil Services Rule 490 for himself and family from the place of last employment to the place where he settles within six months of quitting service.

VI. In the case of servants who are eligible for the benefits of contributory provident fund, Government contribution may be paid in respect of the period of leave sanctioned under these orders.

VII Government pensioners who were re-employed in the States and who are discharged from State service should not be held eligible for any of the concessions admissible in accordance with these Rules.

VIII. The State servants who were paid from the private purse or grant of the Ruler and not paid out of the revenues of the State and who are not continued in service should be given 3 months' notice or 3 months' pay in liem of notice.

IX. Leave to be given in all the cases mentioned above will be that admissible according to the State Rules except

that which can be given only on medical certificate.

3. These Rules should operate with retrospective effect from the date of the merger of the State concerned, viz., 9th March 1948 in the case of Deccan States, 6th May 1948 for Janjira State, 10th June 1948 in the case of Gujarat States, 6th November 1948 for Danta State, 1st March 1949 in the case of Kolhapur State and 1st May 1949 in the case of Baroda State.

By order of the Governor of Bombay,

M.D. BHAT,

Chief Secretary to the Government of Bombay,
Political and Services Department.

G.R. No. 2733/48, P. & S. D., dated the 18th July 1949.

EVV. 29/5.